IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41368 of 2008
ANIL RAI
Versus
STATE OF BIHAR
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3. 01.12.2008 Heard the learned Counsel for the petitioner and the learned counsel for the State.

The petitioner apprehends arrest in a Police case under Sections 376 and 323/34 of the Penal Code.

Alleging false implication it is submitted from paragraph 12 of the pleadings that earlier Complaint Case No. 149 of 2002 on similar allegation against co-accused Tejo Rai and certain others were found false. In the present case also the police after investigation submitted final form. There is no medical report available of the victim.

Learned Counsel for the State from the materials in the case diary is unable to point out anything further than that recorded in the FIR.

Having considered the facts and circumstances of the case, let the petitioner, above named, surrender in the court below within a period of four weeks from today when he shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of SDJM Dalsingsarai in Dalsingsarai PS Case No. 7 of 2006, subject to the conditions as laid down under Section 438(2) Cr.P.C.

On the day that the petitioner furnishes his bail bonds the court below shall call for the records of Complaint Case No. 149 of 2002 stated to have been disposed by SDJM

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Dalsingsarai. Only in the event that the contentions are found correct in that regards shall the bail bonds be finally accepted. If the records be to the contrary, the present application shall be deemed to have been rejected.

Snkumar/-

(Navin Sinha,J.)

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